



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/045,474	10/22/2001	Edwin Tam	051373-0113	9740
26371	7590	06/18/2004	EXAMINER	
FOLEY & LARDNER				NGUYEN, CAO H
777 EAST WISCONSIN AVENUE				
SUITE 3800				
MILWAUKEE, WI 53202-5308				
				ART UNIT
				PAPER NUMBER
				2173

DATE MAILED: 06/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**BEST AVAILABLE COPY**

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/045,474	TAM, EDWIN	
	<b>Examiner</b>	<b>Art Unit</b>	
	Cao (Kevin) Nguyen	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 22 October 2001.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-20 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Frelburger et al. (US Patent No. 6,475,146 B1).

Regarding claims 1 and 10, Frelburger discloses a method of selecting and presenting user customizable preferences, the method comprising: providing a display having user preference selections, the user preference selections including a customizable selection [..setting including display brightness, display colors, imaging mode.; see col. 11, lines 59-67] ; receiving a customized user preference selection as an input to the customizable selection, and presenting the customized user preference selection in the display of user preference selections along with the customizable selection [..the preference value are stored in the configuration.; see col. 12, lines 1-17].

Regarding claim 2, Frelburger discloses, wherein the step of receiving a customized user preference selection includes launching a data entry request window when the customizable selection is selected (see col. 11, lines 26-58).

Regarding claim 3, Frelburger discloses, wherein the step of receiving a customized user preference selection includes accessing a stored value previously entered by a user (see col. 12, lines 18-39).

Regarding claim 4, Frelburger discloses, wherein the customizable selection is set to be the default selection in the user preference selections such that the customizable selection and customized user preference selection are displayed in the user preference selections (see col. 13, lines 1-25).

Regarding claims 5-7, Frelburger discloses, wherein the step of presenting the customized preference selections includes presenting the customized user preference selection in parenthesis next to the customizable selection in the user preference selections; and wherein the customizable selection corresponds to a specific image compression percentage (see col. 3, lines 1-63).

Regarding claim 8, Frelburger discloses, wherein the customized user preference selection is a number (see figures 1-3).

Regarding claim 9, Frelburger discloses user preference selection along with the customizable selection in the user preference selections includes updating the customizable selection in the user preference selections based upon configuration settings (see col. 10, lines 4-46).

As claims 11-20 are analyzed as previously discussed with respect to claims 1-10 above.

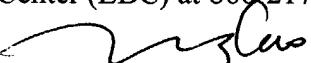
***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (see PTO-892).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cao (Kevin) Nguyen whose telephone number is 703-305-3972. The examiner can normally be reached on M-F: 9:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on 703-308-3116. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
CAO (KEVIN) NGUYEN  
PRIMARY EXAMINER

06/11/04